

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN**

KEVIN LINDKE,
Plaintiff,

Case No.: 19-cv-11905
Honorable Matthew F. Leitman

v.

CERTIFICATION

HONORABLE CYNTHIA A. LANE, a
Michigan state court judge, being
sued in her official capacity,
Defendant

_____/

OUTSIDE LEGAL COUNSEL PLC
PHILIP L. ELLISON (P74117)
Attorney for Plaintiff
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**ATTORNEY CERTIFICATION FOR MOTION FOR TEMPORARY
RESTRAINING ORDER PURSUANT TO FED. R. CIV. P. 65(b)(1)(B)**

NOW COMES counsel of record for Plaintiff KEVIN LINDKE and in
support of his request for temporary restraining order certifies:

1. This request for entry of a Temporary Restraining Order is being
filed contemporaneously with Plaintiff's Complaint in this matter.

2. This request for entry of a Temporary Restraining Order is also
accompanied by a Motion for Summary Judgment as there are no genuine
issues of material fact involved in this matter.

3. As of the filing of the Complaint and the request for entry of a Temporary Restraining Order, no efforts have been made to give notice to Defendant regarding Plaintiff's intention to seek a temporary restraining order.

4. Within an hour after filing of the Motion for Temporary Restraining Order and Summary Judgment, Plaintiff's counsel will provide a downloadable link to obtain copies all filings upon Defendant by her e-mail address, clane@stclaircounty.org. This method is used given the file size of the PDFs.

5. Plaintiff's counsel will cause personal service of Complaint, Motion for Temporary Restraining Order and Summary Judgment, and Brief in Support after this Court issues the Summons in this matter—unless Defendant waives formal service pursuant to FRCP 4.

6. Issuance of the Temporary Restraining Order without any further prior notice to the Defendant is justified and warranted in this matter because Plaintiff has suffered and continue to suffer immediate, irreparable harm due to infringement on Plaintiff's First and Fourteenth Amendment rights.

7. The infringement on Plaintiff's rights has been ongoing since the entry of the March 4, 2019 PPO. Consequently, Plaintiff has suffered and continues to suffer irreparable harm each day that the PPO remains in place.

8. Plaintiff believes success on the merits of this matter is without question, as is laid out in the accompanying Motion for Summary Judgment and Brief in Support.

9. Immediate action is needed and warranted to vindicate Plaintiff's constitutional rights.

Date: June 26, 2019

RESPECTFULLY SUBMITTED:

/s/ Philip L. Ellison
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